

Remarks/Arguments

Claims 1,2,4,6,7,8 and 9 remain in this application.

Claims 3 and 5 have been canceled.

In response to the Office Action of May 31, 2005, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Rejection under 35 USC 103(a)

Claims 1 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over thrash (U.S. Pat. No. 5,970,574) in view of Poppitz (U.S. Pat. No. 3,748,050). The Examiner's position is respectfully traversed.

Thrash discloses a water pressure cleaning device. The device includes a rotating spinner bar having one nozzle securely mounted at each end thereof. Rotation is imparted to the spinner bar by angling the nozzle rearward so that the fluid exiting the nozzle causes the bar to rotate. A shield extends over the spinner bar having an outer layer and an inner layer. A gap is provided between the shield layers to allow vacuum to draw air and debris there through to an exit tube provided at the top of the shield.

Poppitz discloses a cleaner assembly. The cleaner assembly includes a spinner bar mounted for rotation about a central axis. A single nozzle is adjustably mounted at each end of the spinner bar allowing the nozzle to be angled rearwardly so that fluid exiting the nozzle provides rotation to the spinner bar.

The single nozzle devices of Thrash and Poppitz create a super cleaned area in the center of the spray pattern while the edges of spray pattern do not clean the surface as well. This causes the cleaned surface to have a swirled finish comprised of super cleaned and not so cleaned areas. Forward motion of these devices is determined by the rotation speed and spray width provided by the

single nozzle. Reducing the swirled surface requires the device to be moved at a slow enough speed to allow the center of the spray produced by the single nozzle to re-clean the super cleaned area provided by the prior rotation.

In contrast, the instant invention improves the prior art by providing at least two nozzles on each end of the spinner bar. Each of the nozzles is positioned at a different angle with respect to the cleaning plane and placed in proximity to each other so that the sprays produced by the nozzles are one in front of the other to create an overlapping pattern when the spinner bar is rotated. This construction creates several advantages when compared to the single nozzle constructions of the prior art. The nozzle positioning of the instant device places the centers of the sprays a predetermined distance apart and overlaps the outer portions of the sprays to create a much wider super-cleaned area with each rotation of the spinner bar. This allows the device to be moved across the surface with much greater speed while maintaining a swirl free cleaned surface. In addition, the overlapping multiple nozzle pattern has demonstrated the ability to super clean a surface with less impact. This is also due to the overlapping offset spray pattern. The prior art broadens the super-cleaned strip by increasing the pressure supplied to the single nozzle. In contrast the instant invention broadens the super-cleaned area by spacing the nozzles a predetermined distance apart and

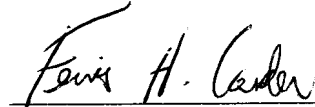
offsetting the spray patterns to provide the overlap. This allows surfaces such as shingle roofs to be cleaned without removing the gravel from the shingles as is seen with the prior art.

Therefore, because neither Thrash nor Poppitz disclose or suggest any type of spinner bar having offset overlapping nozzles at each end of the spinner bar it is requested that this rejection be removed. It is well settled that a showing of obviousness requires a motivation or suggestion to combine or modify prior art reference, coupled with a reasonable expectation of success, See *Brown & Williamson Tobacco Corp. V. Philip Morris Inc.*, 229 F.3d 1120, 1124-25, 56 USPQ2d 1456, 1459 (Fed. Cir 2000).

Summary

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested. Should there be any remaining issues which can be resolved via an Examiner's Amendment, the Examiner is urged to call the undersigned in order to expedite the prosecution of this application.

Respectfully submitted,



Ferris H. Lander
Registration # 43,377

McHale & Slavin, P.A.
2855 PGA Boulevard
Palm Beach Gardens, FL 33410
(561) 625-6575 (Voice)
(561) 625-6572 (Fax)